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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 RONALD BUZZARD, JR. AND WILLIAM
10 KEISLING,

11 Plaintiffs,

12 v.

13 ISRB, *et al.*,

14 Defendants.

15 Case No. C14-959-RSL

16 ORDER DENYING MOTION
17 FOR WAIVER OF FEES

18 This matter comes before the Court on the “Motion for Waiver of Past Fees” filed by
19 plaintiff Ronald Buzzard, Jr. Dkt. # 69. As pertains to the above-captioned matter,¹ Mr. Buzzard
20 requests waiver of the amount he still owes on his filing fee: \$175.00. Dkt. # 69 at 1–2. On June
21 9, 2014, Mr. Buzzard filed a “Declaration and Application to Proceed *In Forma Pauperis*” and a
22 form acknowledging responsibility for “payment of the full \$350.00 filing fee under 28 U.S.C.
23 § 1915” and authorizing the agency having custody over him to collect this fee from his account
24 in monthly payments. Dkt. # 1. The Court granted Mr. Buzzard IFP status on July 28, 2014. Dkt.
25 # 8. Mr. Buzzard was a state prisoner at the time of that Order, and he remains a state prisoner

26 ¹ Judgment was issued in the above-captioned matter on July 22, 2015. Dkt. # 56. Mr. Buzzard’s
27 civil rights complaint and action was dismissed with prejudice. Dkt. # 55. Mr. Buzzard also appears to
28 be seeking waiver of fees related to other actions he initiated in this District, see Dkt. # 69 at 1–2 (citing
case numbers), which the instant Order does not address.

1 today. Dkts. # 8, # 69. The 2014 Order granting Mr. Buzzard IFP status also directed the agency
2 having custody over Mr. Buzzard to collect monthly payments from his account until the entire
3 filing fee was paid. Dkt. # 8 at 2. Mr. Buzzard now requests that the Court waive the remainder
4 of the unpaid filing fee due to his inability to pay. Dkt. # 69.

5 “28 U.S.C. § 1915(a)(1) allows the district court to waive the [filing] fee, for most
6 individuals unable to afford it, by granting IFP status.” Andrews v. Cervantes, 493 F.3d 1047,
7 1051 (9th Cir. 2007). The Prison Litigation Reform Act (“PLRA”), however, altered the IFP
8 provisions for prisoners. Id. at 1052 (citing Abdul-Akbar v. McKelvie, 239 F.3d 307, 312 (3d
9 Cir. 2001) (en banc)). Although indigent prisoners are granted IFP status if they meet the
10 prerequisites, “§1915(b) provides that prisoners proceeding IFP must pay the filing fee as funds
11 become available in their prison accounts.” Id. Plaintiff is incarcerated and thus, under the
12 PLRA, he must pay portions of the filing fee as funds become available in his prison account.
13 Mr. Buzzard cites State v. Blazina, 182 Wn.2d 827 (2015), and State v. Ramirez, 191 Wn.2d
14 732 (2018), for his position that his filing fee should be waived, but these cases are inapplicable
15 because they pertain to legal financial obligations imposed by state courts in sentencing criminal
16 defendants, not to filing fees required by plaintiffs pursuing civil actions in federal court.
17 Therefore, Mr. Buzzard’s request to waive the filing fee is denied.

18 For all the foregoing reasons, Mr. Buzzard’s motion for waiver of fees (Dkt. # 69)
19 is DENIED.

20 DATED this 3rd day of June, 2021.
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24 Robert S. Lasnik
25 United States District Judge
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